EXHIBIT A

The Honorable James L. Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STONCOR GROUP, INC., Plaintiff, v. CHRISTOPHER CAMPTON, an individual, and HI-TECH INTERIORS, INC., Defendants.	)	No. CV05-1225 JLR DEFENDANT CHRISTOPHER CAMPTON'S FIRST DISCOVERY REQUESTS TO PLAINTIFF--AMENDED

TO: Plaintiff Stoncor Group, Inc.

AND TO: Pamela Salgado and Bullivant Houser Bailey PC, its attorneys of record

In accordance with the Federal Rules of Civil Procedure, Defendant Christopher A. Campton ("Defendant") requests that you answer the following discovery requests fully and under oath. Pursuant to Rule 36 and the Court's order in this case regarding expedited discovery, you are to serve your written responses to the interrogatories on counsel for Defendant no later than 12:00 noon on July 25, 2005. In accordance with Rule 34, Defendant also requests that you produce, or permit it to inspect and copy, the documents and things specified in the requests for production. Please produce the designated documents at the law offices of Davis Wright Tremaine LLP, Suite 2300, 777 108th

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Avenue NE, Bellevue, Washington, 98004-5149, at a mutually agreed-upon time not later than 12:00 Noon on July 25, 2005.

GENERAL INSTRUCTIONS

In answering these requests, furnish all information, documents, and things available to you, regardless of whether they were obtained directly by you, by your attorneys, through your agents or representatives, or anyone acting on your behalf or on their behalf. If you cannot answer these requests in full, answer to the extent possible, specify the reasons for your inability to answer the remainder, and state whatever information or knowledge you have concerning the unanswered portion.

Your answers should be written in the spaces provided, and if more space is needed, you may insert or attach extra sheets of paper.

Please note that under the Rules, these discovery requests are continuing in nature. If you obtain, directly or indirectly, additional information as defined by Rule 26(e) between the time your responses are served and the time of trial, you must promptly bring such information to Defendant's attention through supplemental responses. If any such information or documentation is not furnished, Defendant may move to exclude from evidence such information or documentation, or for other relief provided in the Rules.

If you intend to answer any interrogatory "N/A" or "not applicable," please describe in detail your reasons for making such a reply.

DEFINITIONS

A. "You" or "your" means Plaintiff Stoncor Group, Inc. and its attorneys, agents, representatives, and any other person who is in possession of, or who has obtained responsive information, or documents, or things.

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B. "Person" means any individual, corporation, partnership, or other entity.

C. "Document" is used in the broadest possible manner and includes any written, printed, typed, photocopied, photographic or recorded matter of any kind or character, whether prepared by you or otherwise, including, but not limited to, all notes, drafts, diaries, calendars, correspondence, communications, memoranda, reports, manuals, guidelines, rules, instructions, lists, forms, files, notebooks, and information stored in any data processing or word processing system. The term "document" includes documents the person responding to the interrogatory possesses, as well as documents that other persons possess of which the person responding is aware.

D. Nonidentical copies of the same document (*i.e.*, with marginal notes, etc.) constitute separate documents and must all be produced.

E. To "identify" a person means to state the full name of the individual, the individual's last known business and home addresses and phone numbers, and, if known, the individual's present or last known business affiliation and title.

F. To "identify" a document means to state its date, its author, persons to whom it was distributed (if known), the type of document (*e.g.*, letter, memorandum, agreement, etc.), and a brief summary of its contents. Instead of providing a summary of the contents of a particular document, you may simply produce a copy. If, for some reason it cannot be produced, state its present location and the name and address of the custodian, and why it cannot be produced.

G. "Describe" means to fully, faithfully, and accurately set forth every fact, event and/or circumstance, including omissions, which in any way relate to the matter in inquiry.

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H. "Relate to" means referring to, describing, supporting, contradicting, and in any other way concerning or relating to the subject at issue.

I. "Or" shall be understood in both the conjunctive and disjunctive sense, synonymous with "and/or."

J. The term "Costco" refers to Costco Wholesale Company and its employees, agents, attorneys, and representatives.

K. The term "Stonhard" refers to the division of StonCor Groups Inc. that manufactures and installs polymer flooring.

L. When responding to a request for production, or when producing documents in response to an interrogatory, for each document produced, please identify the interrogatory(ies) or request(s) for production to which it is responsive.

OBJECTIONS

If you object to answering any interrogatory or request for production, in whole or in part, state your objection and the factual or legal reasons supporting it. If you object on grounds of privilege, please also state the nature and extent of all allegedly privileged matters in sufficient detail to allow the Defendant to seek an order compelling disclosure of the information or document in question. State the date, author(s), addresses, persons receiving copies of, and the general subject matter of each document withheld under a claim of privilege and/or work product. For each request for production or part thereof to which you object on the ground of burdensomeness, please indicate the custodian and location of each file or document requested, the time estimated to obtain the information, and the costs necessary to answer, as well as the basis for the cost estimate.

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INTERROGATORY NO. 1: Please identify each person who has knowledge of any facts or information relevant to the subject matter of plaintiff's claims against defendants and provide a brief description of their knowledge.

ANSWER:

INTERROGATORY NO. 2: Identify all lawsuits to which plaintiff has been a party since January 1, 1984. Include in your answer the name of the action, the court in which it was filed, the Cause Number, the nature of the dispute, whether you were plaintiff or defendant, how the matter was resolved, the date of resolution, and, if a judgment was entered, the amount of the judgment.

ANSWER:

INTERROGATORY NO. 3: Identify all of Stonhard's customers from January 1, 2003 through present.

ANSWER:

INTERROGATORY NO. 4: Identify all work performed for Costco by Stonhard from January 1, 1988 through present.

ANSWER:

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INTERROGATORY NO. 5: Identify the territory manager that "obtained" the Costco account for plaintiff, as described in Paragraph 9 of the Declaration of Richard Neill.

ANSWER:

INTERROGATORY NO. 6: Please identify each person who has worked or currently works as a Territory Manager for plaintiff since January 1, 2003 and identify if he or she is a current employee.

ANSWER:

INTERROGATORY NO. 7: Please identify each person who has worked or currently works as a Field Sales Manager for plaintiff since January 1, 2003 and identify if he or she is a current employee.

ANSWER:

INTERROGATORY NO. 8: Please identify each of plaintiff's Territory Managers that has stopped working for plaintiff since January 1, 2002.

ANSWER:

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INTERROGATORY NO. 9: Identify and describe the content of any and all communications you had with Ali Amoayeri from January 1, 2000 to present.

ANSWER:

INTERROGATORY NO. 10: Identify any and all installers who belong to plaintiff's installer network, that is described in the Declaration of Richard Neill, filed in this action and the dates that the installers joined the network.

ANSWER:

INTERROGATORY NO. 11: Identify each "trade secret" that plaintiff alleges has been misappropriated by defendants.

ANSWER:

INTERROGATORY NO. 12: Identify any and all special training that plaintiff provides to its installer network.

ANSWER:

INTERROGATORY NO. 13: Identify any and all loan programs that plaintiff provides to its installer network.

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ANSWER:

INTERROGATORY NO. 14: Identify all steps and measures that plaintiff uses to keep its installer network "exclusive".

ANSWER:

INTERROGATORY NO. 15: Identify all steps and measures that plaintiff uses to keep its installer network confidential.

ANSWER:

INTERROGATORY NO. 16: Identify all steps and measures that plaintiff uses to keep its general pricing strategy confidential.

ANSWER:

INTERROGATORY NO. 17: Identify all steps and measures that plaintiff uses to keep its customer lists confidential.

ANSWER:

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INTERROGATORY NO. 18: Identify all steps and measures that plaintiff uses to keep its supplier lists confidential.

ANSWER:

INTERROGATORY NO. 19: Identify all steps and measures that plaintiff uses to keep its pricing policies confidential.

ANSWER:

INTERROGATORY NO. 20: Identify all steps and measures that plaintiff uses to keep its sales and marketing information confidential.

ANSWER:

INTERROGATORY NO. 21: Identify all steps and measures that plaintiff uses to keep its pricing history confidential.

ANSWER:

INTERROGATORY NO. 22: Describe all revenues that plaintiff generated from its work for Costco since January 1, 1990.

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ANSWER:

INTERROGATORY NO. 23: If plaintiffs will be calling any expert witnesses in relation to the claims against defendants, identify each expert, provide a summary of each expert's training and experience, describe the opinions each expert will provide at trial and the facts and bases for each opinion.

ANSWER:

INTERROGATORY NO. 24: Set forth any pricing structures, cost proposals, or bids that you have presented to Costco Wholesale Company from January 1, 1990 to present, including:

a. The product(s) and/or services to which the pricing relates;

b. The methodology used to arrive at the pricing structure;

c. The identity of each person who has knowledge or information about the pricing structure;

d. The identity of each document which substantiates, shows, relates to, describes or contains information regarding the pricing structure.

ANSWER:

REQUEST FOR PRODUCTION NO. 1: To the extent not produced in response to the request above or in answer to interrogatories, please produce all documents

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(including electronic mail) evidencing any communication between you, or any person on your behalf, and Ali Amoayeri from January 1, 2000, through the present.

RESPONSE:

REQUEST FOR PRODUCTION NO. 2: Produce all documents, including but not limited to, handbooks, memorandum, policies, manuals, or other documents, which relate or pertain to any of plaintiff's trade secret or confidentiality policies or procedures.

RESPONSE:

REQUEST FOR PRODUCTION NO. 3: Produce Christopher Campton's personnel file and any related employment documents including, but not limited to, performance evaluations.

RESPONSE:

REQUEST FOR PRODUCTION NO. 4: Produce the personnel file of the territory manager that "obtained the Costco account" (described in paragraph 9 of the Declaration of Richard Neill) and any related employment documents including, but not limited to, performance evaluations.

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RESPONSE:

REQUEST FOR PRODUCTION NO. 5: Produce all documents that discuss or relate to defendant Christopher Campton that describe or relate to the following:

- **a.** 1984 oral employment contract with Stonhard;
- **b.** 1985 oral employment contract with Stonhard;
- **c.** 1987 written employment contract with Stonhard;
- **d.** 1989 written employment contract with Stonhard;
- **e.** 1990 oral employment contract with Stonhard;
- **f.** 1990 proposed written employment contract with Stonhard;
- **g.** 1990 oral employment contract with Stonhard;
- **h.** 2003 oral employment contract with Stonhard;
- **i.** 2005 Job Description and/or Compensation Plan;
- **j.** Stonhard' Code of Conduct;
- **k.** Any other proposed or draft employment contracts between Campton and Stonhard;
- **l.** Duties of National Account Managers;
- **m.** Stonhard's Cost Book;
- **n.** Stonhard P-File; and
- **o.** Stonhard's Installer list.

RESPONSE:

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REQUEST FOR PRODUCTION NO. 6: Produce all documents that discuss or relate to defendant Hi-Tech.

RESPONSE:

REQUEST FOR PRODUCTION NO. 7: Produce any policy manual, employee handbook, or documents which describe or relate to your employment policies for Stonhard's Territory Managers, National Account Managers and Field Sales Managers.

RESPONSE:

REQUEST FOR PRODUCTION NO. 8: Produce all documents relating to any employment agreement or Code of Conduct prepared for or relating to Christopher Campton; include drafts and proposed documents.

RESPONSE:

REQUEST FOR PRODUCTION NO. 9: Produce all documents, agreements, job descriptions or policies that relate to the position of Territory Manager.

RESPONSE:

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REQUEST FOR PRODUCTION NO. 10: Produce all documents, agreements, job descriptions or policies that relate to the position of Field Sales Manager.

RESPONSE:

REQUEST FOR PRODUCTION NO. 11: Produce all forms of non-compete agreements used by plaintiff between 1984 and the present for Field Sales Managers, National Account Managers and Territory Managers.

RESPONSE:

REQUEST FOR PRODUCTION NO. 12: Produce all financial records relating to work performed by plaintiff for or on behalf of Costco since January 1, 2003, including but not limited to records of financial projections, pricing information, budgets, orders, invoices, receipts, and revenues from any work or services.

RESPONSE:

REQUEST FOR PRODUCTION NO. 13: Produce the National Account Agreement and any extensions or amendments thereto, between Stonhard and Costco described in paragraph 9 of the Declaration of R. Neill.

RESPONSE:

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REQUEST FOR PRODUCTION NO. 14: Produce all communication between plaintiff and Costco from January 1, 2003 to the present that relate, discuss or describe the following:

(a) Quality Assurance;

(b) Warranty claims or issues;

(c) Repairs;

(d) Complaints or requests for refunds, discounts or setoffs.

RESPONSE:

REQUEST FOR PRODUCTION NO. 15: Produce all documents relating to plaintiff's enforcement (and non-enforcement) of non-compete agreements between 1984 and the present.

RESPONSE:

REQUEST FOR PRODUCTION NO. 16: Produce all federal tax returns filed by Stonhard from January 1, 2002 through the present.

RESPONSE:

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REQUEST FOR PRODUCTION NO. 17: All documents constituting, evidencing, reflecting, discussing, describing, associated with, or relating to defendants' duties and responsibilities while employed by plaintiff.

RESPONSE:

REQUEST FOR PRODUCTION NO. 18: All documents constituting, evidencing, reflecting, discussing, describing, associated with, or relating to plaintiff's pricing practices and procedures since January 1, 2000 for the Costco account.

RESPONSE:

REQUEST FOR PRODUCTION NO. 19: All documents constituting, evidencing, reflecting, discussing, describing, associated with, or relating to plaintiff's special training provided to its installer network

RESPONSE:

REQUEST FOR PRODUCTION NO. 20: Produce all loan agreements or contracts between plaintiff and any of its installers from January 1, 1990 through present.

RESPONSE:

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REQUEST FOR PRODUCTION NO. 21: Please produce a complete list of all brands of polymer flooring products you have utilized, specified or sold from 1990 to the present.

RESPONSE:

REQUEST FOR PRODUCTION NO. 22: Please produce any documents which relate to any sales, installation or servicing you have made of polymer flooring products to customers from January 1, 2002 to the present.

RESPONSE:

DATED this 20 day of July, 2005.

Davis Wright Tremaine LLP
Attorneys for Defendants

By [signature]
Rhys M. Farren, WSBA #19398
Boris Gaviria, WSBA #31251

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VERIFICATION

STATE OF ______________)
) ss.
COUNTY OF ______________)

STONCOR GROUP, INC., by its ____________, being first duly sworn, on oath deposes and says that s/he is a duly authorized representative of the plaintiff herein and that s/he has read the within and foregoing Answers to Defendant Christopher Campton's First Set of Discovery Requests to Plaintiff, knows the contents thereof, and believes the same to be true.

____

SUBSCRIBED AND SWORN to before me this _____ day of ___________, 2005.

____
NOTARY PUBLIC in and for the State of ______________, residing at __________
My appointment expires ______________
Print Name ______________________

CERTIFICATION OF COUNSEL

I certify that the foregoing answers and responses are true to the best of my knowledge and are made in good faith and in compliance with the Rules of Civil Procedure.

DATED this ____ day of ___________, 2005.

____
Pamela Salgado, WSBA #22741
BULLIVANT HOUSER BAILEY PC
Attorneys for Plaintiff Stoncor Group, Inc.

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CERTIFICATE OF SERVICE

The undersigned certifies under the penalty of perjury under the laws of the state of Washington that I am now and at all times herein mentioned, a citizen of the United States, a resident of the state of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

On this date I caused to be served in the manner noted below a copy of the document entitled Defendant Christopher Campton's First Discovery Requests on the following:

Pamela Salgado
Bullivant Houser Bailey PC
1601 Fifth Avenue, Suite 2300
Seattle, WA 98101-1618

BY:

- [X] U.S. MAIL
- [ ] HAND DELIVERED – Washington Legal Messengers
- [ ] OVERNIGHT MAIL
- [X] FACSIMILE

DATED this 20th day of July, 2005.

By [signature]
Lynn Riggs

Davis Wright Tremaine LLP
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EXHIBIT B

THE HONORABLE JAMES L. ROBART

RECEIVED
JUL 26 2005
Davis Wright Tremaine

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STONCOR GROUP, INC., Plaintiff, v. CHRISTOPHER CAMPTON, an individual, and HI-TECH INTERIORS, INC., Defendants.	No.: CV05-1225 JLR PLAINTIFF'S ANSWERS TO DEFENDANTS' AMENDED FIRST DISCOVERY REQUESTS

GENERAL RESPONSE AND OBJECTION

In accordance with Federal Rules of Civil Rules 26, 33, and 34, plaintiff responds to Defendants' First Discovery Requests. Plaintiff objects to the extent Defendants' First Discovery Requests seek information not discoverable under the Civil Rules or seek to impose obligations not expressly provided for under the Civil Rules, specifically including but not limited to the instructions regarding identifying and producing documents protected from disclosure, as well as improper implications that the interrogatories and requests for production are "continuing" to any extent beyond the scope of FRCP 26(e).

The answers herein are based upon information obtained to date. Defendant expressly reserves the right to supplement or revise its responses, if necessary.

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ORIGINAL

ANSWERS AND OBJECTIONS

INTERROGATORY NO. 1: Please identify each person who has knowledge of any facts or information relevant to the subject matter of plaintiff's claims against defendants and provide a brief description of their knowledge.

ANSWER: Rick Neill, V.P. Sales, StonCor, Maple Shade, N.J., has knowledge regarding plaintiff's confidential information and trade secrets and defendants' misappropriation of same, defendant Campton's terms of and employment with StonCor, defendant Campton's breach of the non-compete provision, and StonCor's relationship with Costco.

Mark Liddle, Division Mgr.-West Coast, StonCor, Danville, Cal., has knowledge regarding StonCor's relationship with Costco, StonCor's installers, and defendants' misappropriate of plaintiff's confidential and trade secret information and breach of non-compete provision.

Ali Moayeri, Tom Walker, and Josh Smith (Costco employees) have knowledge of defendant Campton's solicitation of Costco.

Doug Miller, FSM for the Northwest, has information regarding defendant Campton's violation of his non-compete provision.

Marshall Liverman, Fibregrate, Dallas, Texas, has knowledge of the terms of defendant Campton's employment with StonCor during the 1989-mid 90s period.

StonCor installers (to be provided under protective order and following further discovery) have knowledge of solicitation of StonCor's customers by defendant Campton and misappropriate of StonCor's confidential and trade secret information.

Discovery is ongoing and this response may be supplemented.

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INTERROGATORY NO. 2: Identify all lawsuits to which plaintiff has been a party since January 1, 1984. Include in your answer the name of the action, the court in which it was filed, the Cause Number, the nature of the dispute, whether you were plaintiff or defendant, how the matter was resolved, the date of resolution, and, if a judgment was entered, the amount of the judgment.

ANSWER:

Objection. Overbroad, unduly burdensome (as this includes every case for the past 21 years on any topic, including slip and falls, etc.) and not likely to lead to the discovery of any admissible evidence. Without waiving, StonCor agrees to provide information regarding lawsuits in which it has been a party involving the enforcement of a non-compete agreement or breach of confidentiality/trade secrets. This information is set forth below.

- *Stonhard, Inc. v Ray Gutoski and Cornerstone Industries*, Circuit Ct., Cook County, Illinois, Case No. 00CH 17712 (2000)
- *Stonhard, Inc. v Carolina Flooring Specialties, Daniel & Manuel Parham*, U.S. Dist. Ct., Dist. Of S.C., Case No. 6:03-1908-25 (2003)
- *Stonhard. Inc. v. Daniel Hess*, U.S. Dist. Ct., Dist. of Indiana, Case No. 1:92cv920.

INTERROGATORY NO. 3: Identify all of Stonhard's customers from January 1, 2003 through present.

ANSWER:

Objection. Turning over StonCor's confidential and proprietary customer list to a known competitor who has already misused such information to his own advantage will further harm plaintiff. It is also not likely to lead to the discovery of any admissible evidence in this matter. Without waiving, a list of Stonhard's customers who defendant Campton has

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solicited StonCor customer Costco, in addition to others, which will be disclosed pursuant to the protective order. Discovery is ongoing and this may be supplemented.

INTERROGATORY NO. 4: Identify all work performed for Costco by Stonhard from January 1, 1988 through present.

ANSWER:

This request is vague as to defendant's meaning of "all work." Without waiving, plaintiff provided polymer flooring for new Costco construction in the United States from July 1988, through the date defendant Campton churned the account to Hi-Tech. StonCor also provided all maintenance for Costco related to its polymer flooring, during the same period. StonCor believes and understands that it was the exclusive provider of polymer flooring (new and maintenance) for Costco during this time StonCor also provided polymer flooring (new construction and maintenance) for Costco in Canada, Mexico, Europe and Asia on a non-exclusive basis, during the time period described.

INTERROGATORY NO. 5: Identify the territory manager that "obtained" the Costco account for plaintiff, as described in Paragraph 9 of the Declaration of Richard Neill.

ANSWER:

Kevin Conroy

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INTERROGATORY NO. 6: Please identify each person who has worked or currently works as a Territory Manager for plaintiff since January 1, 2003 and identify if he or she is a current employee.

ANSWER:

Plaintiff objects as overbroad and not likely to lead to the discovery of any admissible evidence.

INTERROGATORY NO. 7: Please identify each person who has worked or currently works as a Field Sales Manager for plaintiff since January 1, 2003 and identify if he or she is a current employee.

ANSWER:

Plaintiff objects as overbroad and not likely to lead to the discovery of any admissible evidence.

INTERROGATORY NO. 8: Please identify each of plaintiff's Territory Managers that has stopped working for plaintiff since January 1, 2002.

ANSWER:

Plaintiff objects as overbroad, vague and not likely to lead to the discovery of any admissible evidence.

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INTERROGATORY NO. 9: Identify and describe the content of any and all communications you had with Ali Moayeri from January 1, 2000 to present.

ANSWER:

Nearly all communications with Mr. Moayeri were through defendant Campton. The only communications between plaintiff (aside from defendant Campton) and Mr. Moayeri, of which plaintiff is aware, are as follows:

A meeting between Mr. Moayeri and Mr. Liddle at a job site in the early 1990s. A lunch meeting in the early 1990s with Don Zikmund, Chris Campton, and Rick Neill, in Seattle. A few conversations in 2002 during a week or so period, between Rick Neill and Mr. Moayeri, after defendant Campton became the FSM for the NW. A call from Mark Liddle to Mr. Moayeri in last week of April 2005, to set up a meeting regarding transition following defendant Campton's departure. A meeting with Mr. Moayeri, Mr. Liddle and Mr. Neill on May 5, 2005, regarding transition following Mr. Campton's departure. A May 9, 2005, email from Mr. Liddle to Mr. Moayeri following up on the meeting. A voicemail message from Mr. Moayeri to Mr. Liddle, on May 10, regarding defendant Campton's "compelling" presentation. See also RFP No. 1.

INTERROGATORY NO. 10: Identify any and all installers who belong to plaintiff's installer network, that is described in the Declaration of Richard Neill, filed in this action and the dates that the installers joined the network.

ANSWER:

This seeks confidential, proprietary and trade secret information, which plaintiff believes defendant Campton has and/or intends to misappropriate. This information will be produced pursuant to a protective order for attorneys eyes only and for in camera review by

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the court.

INTERROGATORY NO. 11: Identify each "trade secret" that plaintiff alleges has been misappropriated by defendants.

ANSWER:

See Complaint. The trade secrets misappropriated by defendants include StonCor's installer list/network, StonCor's pricing strategy and policies, and customer lists. Discovery is ongoing and this may be supplemented.

INTERROGATORY NO. 12: Identify any and all special training that plaintiff provides to its installer network.

ANSWER:

This seeks confidential, proprietary and trade secret information, which plaintiff believes defendant Campton has and/or intends to misappropriate. This information will be produced pursuant to a protective order for attorneys eyes only and for in camera review by the court.

INTERROGATORY NO. 13: Identify any and all loan programs that plaintiff provides to its installer network.

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ANSWER:

This seeks confidential, proprietary and trade secret information, which plaintiff believes defendant Campton has or intends to misappropriate. This information will be produced pursuant to a protective order, in redacted form, for attorneys eyes only and for in camera review by the court.

INTERROGATORY NO. 14: Identify all steps and measures that plaintiff uses to keep its installer network "exclusive".

ANSWER:

Before plaintiff enters into an agreement with an installer, plaintiff requires the installer to commit to an exclusive relationship with Stonhard regarding polymer flooring. Installers who work for StonCor competitors are severed from Stonhard's installer list and no longer utilized. Stonhard provides installers in its network a secure cash flow by paying most of their labor costs at the time the customer is billed. Stonhard also provides all administrative support (accounts receivable, marketing, etc.) for the Stonhard installers. Stonhard also provides training to the installers, a special website "Stonhard Installation Team," where installers can obtain technical information and tools and tips relating to their projects, a loan program and a predicable volume of work.

INTERROGATORY NO. 15: Identify all steps and measures that plaintiff uses to keep its installer network confidential.

ANSWER:

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Plaintiff takes many steps to maintain the confidentiality of its installer list. First, every employee is required to sign the Code of Conduct, which specifically states that the installer list/network is confidential. TMs and FSMs also sign employment contracts which reiterate the duty of confidentiality. Second, plaintiff ensures the list/network is not disseminated within the company. StonCor's policy is that the installer list is only available by computer and is pass word protected. It is only accessible to the sales administrators, the manager of corporate administration and the finance department, and in the last year, the director of national accounts. Sales personnel and Territory Managers (TM) can not obtain the list of installers outside their geographic territory or division.

Third, the company takes many steps to maintain the confidentiality of the installer list from the general public. With limited exceptions, installers are required to wear Stonhard tee shirts and not display their own company logos at job sites, to the extent that does not conflict with site/security mandates. The point of contact for the customer, the general contractor, and the architect, with regards to the installation, are all through the TM or FSM, not the installers. Plaintiff schedules the installers, pays the installers and warrants their work.

INTERROGATORY NO. 16: Identify all steps and measures that plaintiff uses to keep its general pricing strategy confidential.

ANSWER:

Plaintiff objects to the term "general" pricing strategy as there is no "general" strategy, but it is customer specific. Without waiving, all employees are required to sign the Code of Conduct which expressly states that StonCor's pricing strategies are confidential. TMs and FSMs also sign employment contracts which reiterate the duty of confidentiality.

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StonCor's sales personnel are provided training on how to build a quote. Customers, general contractors, and others are not provided any information on how a quote is determined. Further, prices are not published on plaintiff's website or available to the public.

INTERROGATORY NO. 17: Identify all steps and measures that plaintiff uses to keep its customer lists confidential.

ANSWER:

Plaintiff requires all employees to sign the Code of Conduct which expressly states that customer lists are confidential. TMs and FSMs also sign employment contracts which reiterate the duty of confidentiality. Plaintiff does not publish or otherwise make available its customer lists. The customer list is maintained on Stonhard's computers and is password protected. Sales personnel and TMs can only access the customer list that pertains to their territory. Employees who leave Stonhard employment are required to return all customer-related documents.

INTERROGATORY NO. 18: Identify all steps and measures that plaintiff uses to keep its supplier lists confidential.

ANSWER:

Objection. Vague and ambiguous. To the extent defendant intends to inquire about installers, see answer to interrogatory no. 15. Otherwise, StonCor does not take strict measures to maintain the confidentiality of raw material/equipment/suppliers, but it does not publicize such supplier lists either.

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INTERROGATORY NO. 19: Identify all steps and measures that plaintiff uses to keep its pricing policies confidential.

ANSWER:

See answer to interrogatory no. 16.

INTERROGATORY NO. 20: Identify all steps and measures that plaintiff uses to keep its sales and marketing information confidential.

ANSWER:

Plaintiff requires all employees to sign a Code of Conduct which specifically identifies sales and marketing strategies as confidential. TMs and FSMs sign employment contracts which reiterate their duty of confidentiality. Plaintiff's sales and marketing strategies are not published or in any way available to the public and are considered by the company to be proprietary and confidential.

INTERROGATORY NO. 21: Identify all steps and measures that plaintiff uses to keep its pricing history confidential.

ANSWER:

See answer to interrogatory no. 16.

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INTERROGATORY NO. 22: Describe all revenues that plaintiff generated from its work for Costco since January 1, 1990.

ANSWER:

Objection. Not likely to lead to any admissible evidence, overbroad and unduly burdensome, and seeks confidential information, which if produced to defendants, could further harm plaintiff.

INTERROGATORY NO. 23: If plaintiffs will be calling any expert witnesses in relation to the claims against defendants, identify each expert, provide a summary of each expert's training and experience, describe the opinions each expert will provide at trial and the facts and bases for each opinion.

ANSWER:

Not yet determined.

INTERROGATORY NO. 24: Set forth any pricing structures, cost proposals, or bids that you have presented to Costco Wholesale Company from January 1, 1990 to present, including:

a. The product(s) and/or services to which the pricing relates;

b. The methodology used to arrive at the pricing structure;

c. The identity of each person who has knowledge or information about the

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pricing structure;

d. The identity of each document which substantiates, shows, relates to, describes or contains information regarding the pricing structure.

ANSWER:

Objection. Not likely to lead to the discovery of any admissible evidence. Further, turning over StonCor's confidential and proprietary pricing structures, proposal and bids to a known competitor who has already used such information to his own advantage will further harm plaintiff.

REQUEST FOR PRODUCTION NO. 1: To the extent not produced in response to the request above or in answer to interrogatories, please produce all documents (including electronic mail) evidencing any communication between you, or any person on your behalf, and Ali Moayeri from January 1, 2000, through the present.

RESPONSE:

See attached.

REQUEST FOR PRODUCTION NO. 2: Produce all documents, including but not limited to, handbooks, memorandum, policies, manuals, or other documents, which relate or pertain to any of plaintiff's trade secret or confidentiality policies or procedures.

RESPONSE:

See attached.

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REQUEST FOR PRODUCTION NO. 3: Produce Christopher Campton's personnel file and any related employment documents including, but not limited to, performance evaluations.

RESPONSE:

See attached.

REQUEST FOR PRODUCTION NO. 4: Produce the personnel file of the territory manager that "obtained the Costco account" (described in paragraph 9 of the Declaration of Richard Neill) and any related employment documents including, but not limited to, performance evaluations.

RESPONSE:

Not likely to lead to the discovery of any admissible evidence and seeks confidential information of persons who are not party to this case. Without waiving, a copy of Mr. Conroy's employment contract and a memo related to his obtaining the Costco account, are being produced pursuant to the protective order.

REQUEST FOR PRODUCTION NO. 5: Produce all documents that discuss or relate to defendant Christopher Campton that describe or relate to the following:

a. 1984 oral employment contract with Stonhard;

b. 1985 oral employment contract with Stonhard;

c. 1987 written employment contract with Stonhard;

d. 1989 written employment contract with Stonhard;

e. 1990 oral employment contract with Stonhard;

f. 1990 proposed written employment contract with Stonhard;

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g. 1990 oral employment contract with Stonhard;

h. 2003 oral employment contract with Stonhard;

i. 2005 Job Description and/or Compensation Plan;

j. Stonhard' Code of Conduct;

k. Any other proposed or draft employment contracts between Campton and Stonhard;

l. Duties of National Account Managers;

m. Stonhard's Cost Book;

n. Stonhard P-File; and

o. Stonhard's Installer List.

RESPONSE:

(a), (b), (e), (g), (h): No such "contracts" existed therefore there are no responsive documents.

(c),(d): See attached.

(f) Plaintiff has no such document(s) in our files.

(i) See documents contained in Campton's personnel file, produced herewith.

(j) Attached.

(k) None.

(l) Will be supplemented.

(m-o). Objection. Seeks confidential, proprietary and trade secret information. Production of this information to defendants who have already misappropriated or are planning to misappropriate plaintiff's confidential and trade secret information, will further harm plaintiff. Further, requests for plaintiff's Cost Book and P-Files (aka Prospect Files) are overbroad and not likely to lead to the discovery of any admissible evidence. As to defendants' request for the installer list, that will be provided only pursuant to a protective order for attorney eyes and in-camera review only.

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REQUEST FOR PRODUCTION NO. 6: Produce all documents that discuss or relate to defendant Hi-Tech.

RESPONSE:

See attached.

REQUEST FOR PRODUCTION NO. 7: Produce any policy manual, employee handbook, or documents which describe or relate to your employment policies for Stonhard's Territory Managers, National Account Managers and Field Sales Managers.

RESPONSE:

Objection. Overbroad, unduly burdensome, vague and not likely to lead to the discovery of admissible evidence. The documents relating to the confidentiality policy and non-compete have already been produced. (See RFP No. 2.)

REQUEST FOR PRODUCTION NO. 8: Produce all documents relating to any employment agreement or Code of Conduct prepared for or relating to Christopher Campton; include drafts and proposed documents.

RESPONSE:

See documents attached to RFP No. 5(c, d, j).

REQUEST FOR PRODUCTION NO. 9: Produce all documents, agreements, job descriptions or policies that relate to the position of Territory Manager.

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RESPONSE:

See attached.

REQUEST FOR PRODUCTION NO. 10: Produce all documents, agreements, job descriptions or policies that relate to the position of Field Sales Manager.

RESPONSE:

See attached.

REQUEST FOR PRODUCTION NO. 11: Produce all forms of non-compete agreements used by plaintiff between 1984 and the present for Field Sales Managers, National Account Managers and Territory Managers.

RESPONSE:

Objection. Overbroad, unduly burdensome and not likely to lead to any admissible evidence. Without waiving, the various forms of non-compete agreements are attached. See also documents to RFP No. 2.

REQUEST FOR PRODUCTION NO. 12: Produce all financial records relating to work performed by plaintiff for or on behalf of Costco since January 1, 1990, including but not limited to records of financial projections, pricing information, budgets, orders, invoices, receipts, and revenues from any work or services.

RESPONSE:

Objection. Overbroad, unduly burdensome, seeks confidential and proprietary information which will further harm plaintiff if produced to defendants.

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REQUEST FOR PRODUCTION NO. 13: Produce the National Account Agreement and any extensions or amendments thereto, between Stonhard and Costco described in paragraph 9 of the Declaration of R. Neill.

RESPONSE:

Will be produced pursuant to the protective order.

REQUEST FOR PRODUCTION NO. 14: Produce all communication between plaintiff and Costco from July 1, 2003 to the present that relate, discuss or describe the following:

a. Quality Assurance;

b. Warranty claims or issues;

c. Repairs;

d. Complaints or requests for refunds, discounts or setoffs.

RESPONSE:

Objection. Overbroad, unduly burdensome, vague and not likely to lead to the discovery of any admissible evidence. Without waiving, defendant Campton was responsible for handling topics (a-d) and all communications on these topics would have been between defendant Campton and Costco.

REQUEST FOR PRODUCTION NO. 15: Produce all documents relating to plaintiff's enforcement (and non-enforcement) of non-compete agreements between 1984 and the present.

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RESPONSE:

Objection as overbroad, as the request seeks documents dating back over 20 years. Without waiving, see documents attached.

REQUEST FOR PRODUCTION NO. 16: Produce all federal tax returns filed by Stonhard from January 1, 2002 through the present.

RESPONSE:

Objection. Not likely to lead to the discovery of any admissible evidence, and seeks confidential information.

REQUEST FOR PRODUCTION NO. 17: All documents constituting, evidencing, reflecting, discussing, describing, associated with, or relating to defendants' duties and responsibilities while employed by plaintiff.

RESPONSE:

See documents produced above.

REQUEST FOR PRODUCTION NO. 18: All documents constituting, evidencing, reflecting, discussing, describing, associated with, or relating to plaintiff's pricing practices and procedures since January 1, 2000 for the Costco account.

RESPONSE:

Objection. See answer to Interrogatory No 24.

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REQUEST FOR PRODUCTION NO. 19: All documents constituting, evidencing, reflecting, discussing, describing, associated with, or relating to plaintiff's special training provided to its installer network

RESPONSE:

Objection. See answer to interrogatory no. 12.

REQUEST FOR PRODUCTION NO. 20: Produce all loan agreements or contracts between plaintiff and any of its installers from January 1, 1990 through present.

RESPONSE:

Objection. Overbroad, unduly burdensome and confidential. Without waiving, evidence of loans to installers will be provided in redacted form pursuant to a protective order.

REQUEST FOR PRODUCTION NO. 21: Please produce a complete list of all brands of polymer flooring products you have utilized, specified or sold from 1990 to the present.

RESPONSE:

See www.stonhard.com

REQUEST FOR PRODUCTION NO. 22: Please produce any documents which relate to any sales, installation or servicing you have made of polymer flooring products to customers from January 1, 2002 to the present.

RESPONSE:

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Objection. Overbroad, unduly burdensome, not likely to lead to the discovery of any admissible evidence. Further, turning over StonCor's confidential and proprietary customer documents to a known competitor who has already used such information to his own advantage will further harm plaintiff.

DATED this 26th day of July, 2005.

BULLIVANT HOUSER BAILEY PC

By ______________________

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VERIFICATION

STATE OF CONNECTICUT)
) ss.
COUNTY OF ______________)

STONCOR GROUP, INC., by its Vice President of Sales, being first duly sworn, on oath deposes and says that s/he is a duly authorized representative of the plaintiff herein and that s/he has read the within and foregoing Answers to Defendant Christopher Campton's First Set of Discovery Requests to Plaintiff, knows the contents thereof, and believes the same to be true.

[signature]
Rick Neill

SUBSCRIBED AND SWORN to before me this 26th day of July, 2005.

____
NOTARY PUBLIC in and for the State of Connecticut, residing at ____________
My appointment expires ____________
Print Name ________________

CERTIFICATION OF COUNSEL

I certify that the foregoing answers and responses are true to the best of my knowledge and are made in good faith and in compliance with the Rules of Civil Procedure.

DATED this ____ day of ____________, 2005.

____
Pamela Salgado, WSBA #22741
BULLIVANT HOUSER BAILEY PC
Attorneys for Plaintiff Stoncor Group, Inc.

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VERIFICATION

STATE OF CONNECTICUT)
) ss.
COUNTY OF ______________)

STONCOR GROUP, INC., by its Vice President of Sales, being first duly sworn, on oath deposes and says that s/he is a duly authorized representative of the plaintiff herein and that s/he has read the within and foregoing Answers to Defendant Christopher Campton's First Set of Discovery Requests to Plaintiff, knows the contents thereof, and believes the same to be true.

____
Rick Neill

SUBSCRIBED AND SWORN to before me this 26th day of July, 2005.

____
NOTARY PUBLIC in and for the State of Connecticut, residing at ______________
My appointment expires ______________
Print Name ______________

CERTIFICATION OF COUNSEL

I certify that the foregoing answers and responses are true to the best of my knowledge and are made in good faith and in compliance with the Rules of Civil Procedure.

DATED this 26th day of July, 2005.

Medora A. Marisseau, WSBA #23114
Attorneys for Plaintiff StonCor Group, Inc.

CERTIFICATE OF SERVICE
I certify under penalty of perjury under the laws of the State of Washington that on this day I caused to be delivered via facsimile, ~~and messenger~~ email a copy of this document to all counsel of record.

Dated: 7/26/05 at Seattle, Washington.
3455009.1

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